

Remarks

Claims 1 and 19 are amended. No claims are cancelled. No new claims are added. No new matter has been added by these amendments. Claims 1, 15, 16 and 18-23 are pending.

Claims 1 and 19 were rejected under 35 U.S.C. §112, second paragraph as indefinite because a phrase in each claim lacked an antecedent basis. Claims 1 and 19 have been amended and these rejections are respectfully deemed moot.

Starting at page 5 of the Office Action, claims 1 and 19-23 stand rejected as anticipated by Thompson. Starting at page 6, claims 1 and 19-23 have been newly rejected as anticipated by U.S. Patent No. 6,589,736 to Rothschild, et al.

Both rejections are respectfully traversed. Neither Thompson nor Rothschild are prior art against the present application.

As the Examiner is aware, on April 6, 2007, applicants filed a Petition to claim priority from PCT/GB94/02359, filed October 26, 2004 and British Application 9322156.2, filed October 27, 1993. To date, no action has been taken on that Petition. Indeed, on November 29, 2007 applicants filed a Status Inquiry to inquire as to the status of the Petition.

Once applicants' petition is granted, these two references should be withdrawn. Accordingly, reconsideration of these rejections is respectfully requested.

Turning to page 5 of the Office Action, claims 1 and 22 remain rejected as anticipated by Eby. The Examiner contends Eby teaches an oligosaccharide (i.e. core molecule) modified with 2-(4-nitrophenyl)ethanol (i.e., smaller labile residues) on multiple active sites. Id. at 76-77. The Examiner also contends Eby teaches that the activity of modified active sites effects activity, i.e., the nonterminal residues along the dextran chain, id. at 78, that the residues have the property of

being labile under electromagnetic energy which reversibly restores the oligosaccharide activity with its antibody, and that the composite is sensitive to uv light.

This rejection is respectfully traversed. Eby simply teaches the coupling of 2-(4-nitrophenyl)ethanol to the hydroxyl group of an oligosaccharide. Upon irradiation, the 2-(4-nitrophenyl)ethanol moieties fall off, giving the original oligosaccharide. The activity of the oligosaccharide is unaffected, however, since it has no activity to begin with. Thus, “restoration of the active site(s)” after the moieties fall off, as required by claim 1, cannot occur. Indeed, all Eby teaches is the use of a photolytic protective agent in the preparation of the desired oligosaccharide.

Accordingly, reconsideration of this rejection and allowance of claims 1 and 22 are respectfully requested.

Finally, claims 1 and 19-23 stand rejected as anticipated by Goldmacher. Turning first to Claim 19, in Goldmacher, the activity of the antibody cannot be inhibited. The antibody must be free to react with its binding partner, otherwise Goldmacher cannot work. Claim 19, however, requires that the labile residue or residues reduce the antibody's ability to bind with this binding partner. That is completely different from what Goldmacher teaches. In Goldmacher, the antibody is unaffected. In claim 19, the antibody is clearly affected. Accordingly, Goldmacher cannot anticipate claim 19 (or claims 21 or 23, which depend from claim 19).

As for claim 1, it is not seen where Goldmacher teaches that the photocleavable moiety alters the core molecule's ability to provide an activity associated with its active site or sites. Thus, it is not seen how Goldmacher can anticipate claim 1 (or its dependent claims, claims 20 and 22).

Accordingly, for the above reasons, reconsideration of this rejection and allowance of claims 1 and 19-23 are respectfully requested.

A three month extension of time fee of \$525.00 is due for filing of this Amendment. Please deduct that fee and any additional fees resulting from the filing of the Amendment, from our Account No. 50-4026.

A good faith effort has been made to place this application in condition for allowance. If the Examiner has any questions or comments, the Examiner is invited to contact the undersigned at (212) 710-5965.

Respectively submitted,



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I hereby certify that the correspondence attached herewith is being transmitted electronically to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:


Martha Matos

January 2, 2008
Date

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